

**HAWAII STATE**

**HOUSE OF REPRESENTATIVES**

**REGULAR SESSION OF 2012**

***MINI JOURNAL***

***FLOOR REMARKS TO BE INSERTED***

**FIFTY-FIRST DAY**

**APRIL 18, 2012**

**OFFICE OF THE CHIEF CLERK**

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## FIFTY-FIRST DAY

Wednesday, April 18, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:43 o'clock a.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Cindy Evans, after which the Roll was called showing all Members present with the exception of Representative Souki, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fiftieth Day was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 756 through 760) were received and announced by the Clerk:

Sen. Com. No. 756, dated April 17, 2012, informing the House that the Senate has on April 16, 2012, reconsidered its action taken on April 12, 2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 3025, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING CREDITS."

Sen. Com. No. 757, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 112, SD 1, HD 1 Espero, Chair; Fukunaga/Kim/Kidani, Co-Chairs; Slom

S.B. No. 155, SD 2, HD 1 Baker, Chair; Espero, Co-Chair; Taniguchi

S.B. No. 1065, SD 1, HD 1 Espero, Chair; Hee, Co-Chair; Ryan

S.B. No. 2784, SD 2, HD 1 Baker, Chair; Ige, Co-Chair; Kidani, Taniguchi, Slom

S.B. No. 2785, SD 2, HD 2 Gabbard, Chair; Baker/Kouchi, Co-Chairs; English

S.B. No. 2958, SD 2, HD 2 Green, Chair; Baker/Chun Oakland, Co-Chairs; Slom

S.B. No. 2967, SD 2, HD 1 Hee, Chair; Ige, Co-Chair; Shimabukuro

S.B. No. 2981, SD 2, HD 2 Gabbard, Chair; Baker, Co-Chair; Ihara

S.B. No. 3001, SD 2, HD 2 Hee, Chair; Kidani, Co-Chair; Kahele, Slom

S.B. No. 3006, SD 2, HD 2 Green, Chair; Gabbard/Chun Oakland, Co-Chairs; Shimabukuro, Slom

S.B. No. 3008, HD 3 Hee, Chair; Kidani, Co-Chair; Slom

S.B. No. 3010, SD 2, HD 1 English, Chair; Espero/Gabbard, Co-Chairs; Kidani, Slom

S.B. No. 3011, SD 2, HD 2 Dela Cruz, Chair; Solomon/Nishihara/Ige, Co-Chairs; Slom

S.B. No. 3039, SD 1, HD 1 Green, Chair; Hee, Co-Chair; Slom

S.B. No. 3048, SD 2, HD 1 Kim, Chair; Ige, Co-Chair; Galuteria, Slom

S.B. No. 3050, SD 2, HD 1 Fukunaga, Chair; Kim/Ige, Co-Chairs

S.B. No. 3053, SD 2, HD 2 Galuteria, Chair; Dela Cruz/Kidani, Co-Chairs; Hee, Kahele, Ryan, Slom

Sen. Com. No. 758, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 121, HD 1, SD 1 Espero, Chair; Kidani, Co-Chair; Slom

H.B. No. 246, HD 1, SD 2 Hee, Chair; Espero/Kidani, Co-Chairs; Slom

H.B. No. 297, HD 1, SD 1 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 302, HD 1, SD 2 Hee, Chair; Kidani, Co-Chair; Slom

H.B. No. 304, HD 1, SD 1 Ige, Chair; Chun Oakland, Co-Chair; Kidani

H.B. No. 461, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Espero, Slom

H.B. No. 468, HD 1, SD 2 Espero, Chair; Hee, Co-Chair; Slom

H.B. No. 626, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 679, HD 1, SD 1 Hee, Chair; Shimabukuro, Co-Chair; Slom

H.B. No. 1054, HD 1, SD 1 Tokuda, Chair; Kidani, Co-Chair; Slom

H.B. No. 1181, HD 1, SD 1 Espero, Chair; Hee/Kidani, Co-Chairs; Slom

H.B. No. 1295, HD 3, SD 2 Hee, Chair; Kidani/Baker, Co-Chairs; Slom

H.B. No. 1524, HD 2, SD 2 Nishihara, Chair; Shimabukuro/Wakai, Co-Chairs; Slom

H.B. No. 1543, SD 1 Baker, Chair; Taniguchi, Nishihara

H.B. No. 1666, HD 1, SD 1 Hee, Chair; Shimabukuro/Gabbard, Co-Chairs

H.B. No. 1671, HD 2, SD 2 Espero, Chair; Hee/Kidani, Co-Chairs; Slom

H.B. No. 1695, SD 1	Ige, Chair; Fukunaga, Kidani, Slom	H.B. No. 2174, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom
H.B. No. 1705, HD 1, SD 1	Ige, Chair; Kidani, Co-Chair; Wakai, Slom	H.B. No. 2179, SD 1	Hee, Chair; Kidani, Co-Chair; Ihara, Slom
H.B. No. 1706, HD 1, SD 1	Baker, Chair; Nishihara, Taniguchi	H.B. No. 2248, HD 2, SD 2	Tokuda, Chair; Kidani, Co-Chair; Slom
H.B. No. 1754, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom	H.B. No. 2257, HD 1, SD 1	Baker, Chair; Taniguchi, Slom
H.B. No. 1755, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2258, HD 2, SD 1	Baker, Chair; Taniguchi, Slom
H.B. No. 1764, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2264, HD 2, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 1765, HD 2, SD 1	Espero, Chair; Chun Oakland, Co-Chair; Shimabukuro, Slom	H.B. No. 2273, SD 1	Tokuda, Chair; Green/Kidani, Co-Chairs; Ryan, Slom
H.B. No. 1771, HD 1, SD 1	Hee, Chair; Gabbard, Co-Chair; Slom	Sen. Com. No. 759, dated April 17, 2012, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:	
H.B. No. 1777, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Ihara, Slom		
H.B. No. 1791, SD 1	English, Chair; Hee, Co-Chair; Slom	H.B. No. 2226, HD 2, SD 2	Espero, Chair; Kidani, Co-Chair; Ryan
H.B. No. 1800, HD 2, SD 2	Hee, Chair; Ige, Co-Chair; Slom	H.B. No. 2296, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 1838, SD 1	Ige, Chair; Kidani, Slom	H.B. No. 2302, HD 2, SD 1	Chun Oakland, Chair; Ige/Hee, Co-Chairs; Ihara, Slom
H.B. No. 1848, HD 2, SD 1	Hee, Chair; Ige, Co-Chair; Shimabukuro	H.B. No. 2320, HD 2, SD 2	English, Chair; Hee/Espero, Co-Chairs
H.B. No. 1892, SD 1	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2326, HD 1, SD 1	Ige, Chair; Kidani, Slom
H.B. No. 1941, HD 2, SD 2	Nishihara, Chair; English/Kidani, Co-Chairs; Kahele, Slom	H.B. No. 2347, SD 1	Espero, Chair; Kidani, Co-Chair; Kouchi, Ryan
H.B. No. 1968, HD 1, SD 2	Baker, Chair; Espero, Co-Chair; Taniguchi	H.B. No. 2361, HD 2, SD 2	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 1974, HD 2, SD 1	Espero, Chair; Kidani, Co-Chair; Ryan, Slom	H.B. No. 2409, SD 1	Espero, Chair; Baker, Co-Chair; Slom
H.B. No. 2093, HD 2, SD 2	Tokuda, Chair; Nishihara/Kidani, Co-Chairs; Kahele, Slom	H.B. No. 2454, HD 1, SD 1	Hee, Chair; Shimabukuro, Co-Chair; Slom
H.B. No. 2099, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom	H.B. No. 2476, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2100, HD 2, SD 1	Tokuda, Chair; Nishihara/Kidani, Co-Chairs; Kahele, Slom	H.B. No. 2487, HD 1, SD 2	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 2113, HD 1, SD 1	Espero, Chair; Shimabukuro/Kidani, Co-Chairs; Ihara, Slom	H.B. No. 2491, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Slom
H.B. No. 2145, HD 2, SD 1	Ige, Chair; Kouchi, Co-Chair; Kidani	H.B. No. 2493, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2150, HD 2, SD 1	Nishihara, Chair; Dela Cruz/Gabbard, Co-Chairs; Slom	H.B. No. 2494, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro
H.B. No. 2169, HD 2, SD 1	Baker, Chair; Taniguchi, Slom	H.B. No. 2495, HD 1, SD 1	Hee, Chair; Kidani, Co-Chair; Shimabukuro

H.B. No. 2513, Tokuda, Chair; Kidani, Co-Chair; Slom  
HD 1, SD 2

H.B. No. 2514, Espero, Chair; Hee/Kidani, Co-Chairs; Ihara, Slom  
HD 3, SD 1

H.B. No. 2515, Espero, Chair; Hee/Kidani, Co-Chairs; Ihara  
HD 3, SD 2

H.B. No. 2569, Hee, Chair; Green, Co-Chair; Ihara  
HD 2, SD 1

H.B. No. 2574, Hee, Chair; Kidani, Co-Chair; Slom  
HD 1, SD 1

H.B. No. 2584, Hee, Chair; Shimabukuro, Co-Chair; Slom  
HD 1, SD 1

H.B. No. 2593, Gabbard, Chair; Dela Cruz/Hee, Co-Chairs; Ihara,  
Slom

H.B. No. 2599, Espero, Chair; Hee, Co-Chair; Ihara, Ryan, Slom  
HD 1, SD 1

H.B. No. 2601, Espero, Chair; Shimabukuro, Co-Chair; Slom  
HD 3, SD 1

H.B. No. 2605, Ige, Chair; Fukunaga, Kidani  
HD 1, SD 1

H.B. No. 2623, Hee, Chair; Shimabukuro, Co-Chair; Slom  
HD 1, SD 1

H.B. No. 2626, Tokuda, Chair; English/Kidani, Co-Chairs  
HD 2, SD 2

H.B. No. 2655, Hee, Chair; Ige, Co-Chair; Slom  
HD 2, SD 1

H.B. No. 2686, Hee, Chair; Shimabukuro, Co-Chair; Slom  
HD 1, SD 1

H.B. No. 2751, Espero, Chair; Shimabukuro, Co-Chair; Slom  
HD 2, SD 1

H.B. No. 2766, Hee, Chair; Ige, Co-Chair; Ihara  
HD 2, SD 1

H.B. No. 2776, Green, Chair; Chun Oakland/Ige, Co-Chairs; Ihara,  
Slom

H.B. No. 2798, Espero, Chair; Hee/Green/Kidani, Co-Chairs; Slom  
HD 3, SD 2

H.B. No. 2852, Hee, Chair; Shimabukuro, Co-Chair; Slom  
HD 1, SD 1

H.B. No. 2872, Espero, Chair; Fukunaga/Dela Cruz/Kidani, Co-  
Chairs; Kahele, Slom

H.B. No. 2873, Espero, Chair; Tokuda/Fukunaga/Kidani, Co-  
Chairs; Slom

Sen. Com. No. 760, dated April 17, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 2429, Senator Galuteria added as conferee.  
SD 2, HD 1

S.B. No. 2798, Senate Conferees discharged.  
SD 1, HD 1

## ORDER OF THE DAY

## SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representative Souki was excused.)

## FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representative Souki was excused.)

H.B. No. 238, HD 2, (SD 1)  
H.B. No. 425, HD 3, (SD 2)  
H.B. No. 2013, HD 2, (SD 1)  
H.B. No. 2436, HD 1, (SD 1)  
H.B. No. 2564, HD 1, (SD 1)

At 11:48 o'clock a.m. Representative Chong requested a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:49 o'clock a.m.

## H.B. No. 238, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 238, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

## H.B. No. 425, HD 3, SD 2:

Representative Chong moved that H.B. No. 425, HD 3, SD 2, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED:	Rep. Thielen
	Rep. Pine
	Rep. Thielen
	Rep. Ward
	Rep. Chong
	Rep. Ching
	Rep. Ward
	Rep. Evans
	Rep. Thielen
	Rep. Brower
	Rep. Ching
	Rep. Herkes

The motion was put to vote by the Chair and carried, and H.B. No. 425, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Pine, Thielen and Ward voting no, and with Representatives Chang and Souki being excused.

## H.B. No. 2013, HD 2, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2013, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATED TO MIXED MARTIAL ARTS," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

## H.B. No. 2436, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2436, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INFORMATION PRIVACY AND SECURITY COUNCIL," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

#### H.B. No. 2564, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2564, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," passed Final Reading by a vote of 49 ayes, with Representatives Chang and Souki being excused.

At 12:14 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 238, HD 2, SD 1  
H.B. No. 425, HD 3, SD 2  
H.B. No. 2013, HD 2, SD 1  
H.B. No. 2436, HD 1, SD 1  
H.B. No. 2564, HD 1, SD 1

#### SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to a certain House Bill. (Representatives Chang and Souki were excused.)

#### RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bill, seconded by Representative Evans and carried: (Representatives Chang and Souki were excused.)

H.B. No. 2497, (SD 1)

#### ANNOUNCEMENTS

REMARKS DELIVERED: Rep. Ito

#### COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

##### S.B. No.

##### Re-referred to:

2927, SD2, HD1 Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Housing, then jointly to the Committee on Transportation and the Committee on Economic Revitalization & Business, then to the Committee on Finance

##### S.C.R. Nos.

##### Re-referred to:

63, SD1 Committee on Hawaiian Affairs

77, SD1 Committee on Education

79 Committee on Education

80, SD1 Committee on Education

87, SD1 Committee on Hawaiian Affairs, then to the Committee on Finance

120, SD1 Committee on Education

121, SD1 Committee on Education

122 Committee on Education

#### ADJOURNMENT

At 12:15 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Thursday, April 19, 2012. (Representatives Chang and Souki were excused.)

#### HOUSE COMMUNICATIONS

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

H.B. No. 1764, Rhoads/Keith-Agaran, Co-Chrs.;  
HD 1, SD 1 Johanson

H.B. No. 1765, Rhoads/Keith-Agaran/Yamashita, Co-Chrs.;  
HD 2, SD 1 Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1269, Rhoads/Oshiro, Co-Chrs.;  
SD 2, HD 2 Yamashita, Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 1065, Rhoads/Aquino/Oshiro, Co-Chrs.;  
SD 1, HD 1 Cullen, Fontaine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 155, Herkes/Keith-Agaran/Tokioka, Co-Chrs.;  
SD 2, HD 1 Chang, Marumoto

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bill:

S.B. No. 2927, Chang/Cabanilla/McKelvey/Souki/Har, Co-Chrs.;  
SD 2, HD 1 Pine

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 2569, Representative Thielen replaced Representative  
HD 2, SD 1 Fontaine as conferee.

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2497, SD 1

House Communication dated April 18, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 238, HD 2, SD 1  
H.B. No. 425, HD 3, SD 2  
H.B. No. 2013, HD 2, SD 1  
H.B. No. 2436, HD 1, SD 1  
H.B. No. 2564, HD 1, SD 1